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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 BANK OF AMERICA, N.A., successor by
merger to BAC HOME LOANS SERVICING
12 LP FKA COUNTRYWIDE HOME LOANS
SERVICING, LP,

13 Plaintiff,

14 v.

15 CACTUS CREEK AT MOUNTAIN'S EDGE
16 HOMEOWNERS' ASSOCIATION, INC.;
PREMIER ONE HOLDINGS, INC.; TICOR
17 TITLE COMPANY, as Trustee; THL
FAMILY INVESTMENT LLC; DOE
18 INDIVIDUALS I-X, inclusive, and ROE
CORPORATIONS I-X, inclusive,

19 Defendants.

20
21 **AND ALL RELATED CLAIMS**

Case No.: 2:15-cv-01731-APG-BNW

**STIPULATION AND ORDER FOR LEAVE
TO FILE AMENDED COMPLAINT AND
TO EXTEND THE DEADLINE TO FILE
DISPOSITIVE MOTIONS**

[FIRST REQUEST]

22 Plaintiff Bank of America, N.A. (**BANA**) and defendants Cactus Creek at Mountain's Edge
23 Homeowners' Association, Inc. (**Cactus Creek**) and Premier One Holdings, Inc. (**Premier**) stipulate
24 and agree as follows:

25 1. On September 9, 2014, BANA filed its complaint against Cactus Creek and Premier
26 for quiet title/declaratory judgment, breach of NRS 116.1113, wrongful foreclosure, and injunctive
27 relief. (ECF No. 1.)

28 2. On October 5, 2015, Premier filed its answer and counterclaim against BANA. (ECF

1 No. 12.)

2 3. On October 26, 2015, BANA answered Premier's counterclaim. (ECF No. 14.)

3 4. On December 11, 2015, Cactus Creek filed its answer and crossclaim against Nevada
4 Association Services, Inc.(NAS). (ECF No. 25.)

5 5. On January 27, 2016, NAS filed its answer, third party complaint, and counterclaim
6 against Cactus Creek. (ECF No. 30.)

7 6. On February 12, 2016, Cactus Creek answered NAS's third party complaint and
8 counterclaim. (ECF No. 32.)

9 7. On May 2, 2016, BANA moved for summary judgment. (ECF No. 38.)

10 8. On August 18, 2016, the court denied BANA's motion for summary judgment
11 without prejudice and stayed the case until the Ninth Circuit issued its mandate in *Bourne Valley*
12 *Court Trust v. Wells Fargo Bank*. (ECF No. 51.)

13 9. On September 10, 2019, the court granted BANA's motion to lift the stay. (ECF Nos.
14 58-59.)

15 10. On October 29, 2019, the court granted the parties stipulated discovery plan and
16 scheduling order setting a new dispositive motions deadline of December 18, 2019. (ECF No. 61.)

17 11. The parties stipulate and agree to allow BANA to file the amended complaint deleting
18 its Supremacy Clause arguments, clarifying its tender allegations, and updating the
19 defendant/purchaser attached as Exhibit A within 14 days of the order granting this stipulation.

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12. The parties further stipulate and agree the parties shall have until January 17, 2020 to file dispositive motions.

Dated: December 18, 2019.

AKERMAN LLP

LEACH KERN GRUCHOW ANDERSON SONG

/s/ Donna M. Wittig

/s/ T. Chase Pittsenbarger

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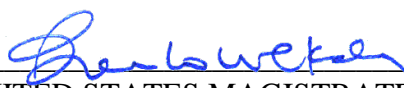
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IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

12/19/2019

DATED